

MILLER OUTLINES REAL BENEFITS OF NEW TRANSIT LAW

Answers Queries of Brooklyn Commerce Chamber Fully and Frankly.

METZ IS ON COMMITTEE

Rate of Fare Subject to Developments, but Solution Will Be Just and Fair.

ENDS LOCAL WRANGLING

Governor Wants to Know What Hylan Regime Has Done in Last Three Years.

Gov. Miller outlined to-day just what he expects the new Public Service Commission to do in rehabilitating New York city's transit systems.

Public apprehension regarding the transit bill centres around these points, the committee said: The personnel of the commission, the possibility of an increased fare and the valuation to be placed on the railroad properties.

"I believe the bill which I have just signed paves the way for a just solution of the transit problem in the public interest," the Governor wrote. His letter continued:

"The basic principle of the bill is that the regulatory powers of the State shall be exercised to secure concessions from the companies which will make it possible to rehabilitate existing facilities and to put the transit system of the city on a sound and permanent basis so as to give the public efficient and economical service and provide for extensions which are imperatively needed.

"Those regulatory powers have never been delegated to or exercised all along by a State body. The new act simply prevents mere obstruction. It seeks as far as possible to eliminate the opportunity to play politics with a great business, economic and social problem. It merely centres responsibility where the regulatory power has been exercised all along.

"The unwisdom of divided responsibility has been demonstrated many times. It has twice been demonstrated in the handling of this very problem, first by the prolonged negotiations culminating in the dual contracts and next by the wrangling of the last three years.

"No one of sense can doubt that in the existing emergency it was impera-

Chicago Menu Lists on Fixed Percentage Scale

CHICAGO, March 31.—Menu prices amounting to twice the wholesale cost of the food have been agreed on by Chicago restaurant men and representatives of the City Council's committee on the high cost of living, as a reasonable charge in Chicago lunchrooms. The 100 per cent. margin above the food cost, according to the estimate, will cover all overhead expense, waste in cooking and cost of service. Reports by investigators for the high cost of living committee have indicated that many restaurants are charging from 300 to 800 per cent. above the present wholesale cost of food.

to centre responsibility and authority somewhere. After the most careful consideration the conclusion was reached that the only place where authority could be centred was in a body which could completely exercise the regulatory powers of the State.

"All the bill does which is said to be so radical is to prevent obstruction to the efficient exercise of those powers. Let those who for illegal purposes threaten to continue their obstructive tactics say where they would have centred authority how they would attempt to remedy conditions daily becoming more intolerable.

"I can assure you that nothing but fitness will be considered in the selection of the commission. Only such properties will be included in any plan of reorganization as are, and will continue to be, needed in the public service and that all properties will be valued at their real worth for such service. No rule could safely be prescribed by statute.

"The question is, what are these properties fairly worth in their present condition for the purpose of reorganization and rehabilitation? It will not require as much time to decide that question as it would to go into the last detail of values, which is ordinarily done in rate cases. As you say, the question is one to be decided upon business principles in place of one with uncertain or no return. Necessarily, therefore, the rate of fare will be an important element of any settlement and cannot be determined in advance thereof, certainly not in advance of the deposit by the companies of the necessary consents to clothe the commission with ample power to put into effect whatever plan may be determined upon.

"The task before the commission is not an easy one. I feel confident that it can be done, if approached with resolution, courage and the determination to do exact justice. There must be no such haggling over terms as has attended prior negotiations. The commission must first decide what is just and fair and then insist upon that—no more, no less. I believe conditions are ripe for a constructive work of monumental public importance. The satisfaction of doing such work will be the compensation for the sacrifice which those who consent to undertake it will have to make."

VAN NAME'S EYE ON CONGRESS.

Calvin D. Van Name, Borough President of Richmond, announced yesterday he would not be a candidate for re-nomination. He had declined the offer of an appointment to succeed City Magistrate Fred S. Mullin, he said, and intimated that if an additional Congress district was made in the redistricting by taking Staten Island and a part of Bay Ridge he might be a candidate to represent it.

KILROE TRIAL ENDS; WITH JURY TO-DAY

Counsel for Asst. Dist. Attorney and Former Law Partner Finish Arguments.

Supreme Court Justice Bartow S. Weeks this morning will charge the jury which for nearly two weeks has been listening to evidence in the case of Edward P. Kilroe, Assistant District Attorney, and Louis E. Swartz, his former law partner, charged with conspiracy and failure to prosecute Napoleon A. Bourasse, broker, on a charge of bigamy. The taking of testimony ended yesterday morning. William M. K. Olcott, representing Mr. Kilroe, and Joseph M. Proskauer, counsel for Mr. Swartz, summed up in the afternoon, and at the second night session to be held during the trial William Rand, Special Deputy Attorney-General, completed his case. Mr. Olcott said his client had failed to prosecute Bourasse only because the evidence was not of a character from which a conviction could be obtained. He made light of the allegation of Mrs. Helen Montrose St. Marie Bourasse, third wife of the broker, that Mr. Kilroe had insulted her. She had been recalled in the morning and declared that the insult was not in anything he said, but something he did. Mr. Olcott called attention to the fact that three days after the alleged insult she nevertheless called at his office.

Mr. Proskauer referred to the high standing of the various citizens who had been character witnesses for the defendants. The prosecutor asserted that Bourasse would hardly have paid the firm of George Gordon Battle a \$3,000 counsel fee for the slight work it did regarding civil actions against him, but that "to have the light nitrocrackers of the law unlocked was worth it."

"Judge Olcott's defence is that Kilroe was not a knave, but an unappealing fool, at I for one don't believe he was a fool," Mr. Rand said. Regarding the proceedings in the Magistrate's court, where the criminal charge against Bourasse was dropped, he declared: "Regarding as a serious effort to administer justice, it is another chapter to the topsy-turvy of Alice in Wonderland."

Harold Norris, vice-president of the National Surety Company, was one of the last witnesses called. He told of Mrs. Bourasse approaching him to find out who was on her husband's bail, as she had been informed she had married "international swindler," who, she was afraid, was trying to bribe his way out of the bigamy charge. The next day in Mr. Kilroe's office, he said, where the Assistant District Attorney was talking severely to her, finally saying he wanted nothing more to do with the case, and asking her to choose from a list of other assistants one who would continue it.

NEW BLOW STRUCK AT FAKE STOCK PROMOTER

Bill Expedites Issuing of Injunctions in State.

Believing that more enforcement machinery is needed for the prosecution of fake stock promoters, Assemblyman Barukowski of Erie county introduced to-day a bill giving greater powers to the Attorney-General for this work. Under the bill the Attorney-General can apply immediately and without notice to the Supreme Court for a temporary injunction whenever he believes that frauds are being attempted.

GREEN FROGS SACRED TO IRISH SENATOR

Downing Fights Bill for Change in Open Season.

Senator Barney Downing is a true friend of the little green frogs. He made an eloquent appeal for them to-day in talking on the Pearson bill changing the open frog season.

"Does the Senator who introduced this bill know that frogs belong to the ranid family?" asked Senator Downing. "Think of it! Under this bill Mr. Pearson would permit the taking of these poor little ranididae by spearing, angling or with rakes. And, Senator Pearson, whom I am likened to Abraham Lincoln and thought had the heart of a Lincoln, you would even let them be taken to death!"

"Yes, Mr. President, I don't want anything green clubbed to death—and to think that this was all fixed up on St. Patrick's Day!"

ALDERMANIC DISTRICT BILL IS PUT THROUGH

Loss of Two Democratic Members Predicted.

Over the protests of the Democrats, who charged that it was a political gerrymander, both houses of the Legislature to-day passed the Jesse bill, changing the Aldermanic districts in New York to conform as nearly as possible to the Assembly district lines.

There will be sixty-six Aldermanic districts, against sixty-two Assembly districts. Senator Walker declared that the bill will reduce the number of Aldermanic districts in Manhattan by two, and would mean the loss of two Democratic Aldermen. The only Republican who voted against the bill was Senator Kadlin, who said that it would result in turning one of the Aldermanic wards in his district, which is normally Republican, over to the Democrats.

SMITH TAKES OFFICE TO-DAY.

Veteran Tammany Man Becomes Public Administrator.

Thomas F. Smith, veteran secretary of Tammany Hall and ex-Representative in Congress, will be formally appointed Public Administrator of New York county, to-day. Mr. Hoek, who had held the post for twenty-nine years, ever since it became a statutory office, has been retired on a pension by the Board of Estimate. The salary is \$10,000 a year. James J. Frawley, formerly State Senator and old-time Tammany leader, will be named as deputy at \$5,000 a year.

GOULD DIVORCE SUIT IS FOUGHT IN COURT

Decision Reserved on Plea of Husband That French Decree Is Binding Here.

Justice Mullin in the Supreme Court reserved decision yesterday on an application made by Frank J. Gould asking that a divorce action brought against him in this country by Edith Kelly Gould be dismissed on the ground he and she have been divorced already by a French decree that is binding in the United States.

At the hearing yesterday Mr. Gould was represented by Samuel Seabury and Mrs. Gould by Rodolph Wellman, a single issue before the court was whether the French divorce was binding, and counsel in discussing the question of the domicile of the Goulds referred frequently to the circumstances under which the French decree was given.

It was explained that the Goulds were married in Edinburgh, Scotland, and resided abroad between 1910 and 1913 except for occasional visits of short duration to this country. In 1913 they set up their fixed abode in France, and after their divorce in 1919 Mr. Gould continued to live there. The decree was granted on evidence of Mrs. Gould's misconduct with Marie Cassarea, a Princeton student who drove a French ambulance during the war. Mrs. Gould made counter charges, but the court held that she did not establish them.

In reviewing the French case Mr. Seabury insisted it had been brought upon grounds which are adequate in this State. Mrs. Cassarea admitted to the French court's jurisdiction by setting up a defense, and that the Goulds were bona fide residents of France. Mrs. Gould's answer was that in all the French court papers Mr. Gould was described as "Frank J. Gould of Tarrytown, N. Y., an American citizen domiciled in Paris."

In her present action for divorce Mrs. Gould alleges that Gould drank to excess and abused her and maintained relations with other women. She declares that there were periods when through excessive drinking he was virtually insane, and that several times he attempted to kill her.

STATE LABOR PLANNING FALL ELECTION FIGHT

Delegates Will Meet in Albany on April 14.

Organized labor, under the auspices of the State Federation of Labor, will meet in Albany April 14 to plan for the election campaign next autumn. Charging Gov. Miller with promulgating reactionary legislation, the labor leaders, it is declared, will fight all candidates in the municipal and Assembly district campaigns who stand with the Governor. Among the speakers will be Samuel Gompers, president of the American Federation of Labor, and James P. Holland, president of the State Federation. Among the measures they will favor will be the initiative, referendum and recall. The Governor, it is said, will be called upon to veto any measure interfering with the direct primary law.

O'CONNOR IS NAMED ON INDUSTRIAL BOARD

Longshoremen's Leader Made Member of New Department.

Gov. Miller to-day named T. V. O'Connor of Buffalo as one of the three members of the industrial board of the new State Industrial Commission. Mr. O'Connor is said to have the endorsement of the Harding Administration at Washington, having recently been appointed by the President on the committee to investigate disabled soldiers.

Mr. O'Connor is president of the International Longshoremen's Association. He was a member of the National Adjustment Commission with Herbert Hoover during the war and also was a director of the stevedores and merchant workers' division of the United States Labor Department. The other two members of the commission probably will be Frank Higgins of Oswego and Mrs. Rosalie Lowe Whitney of Brooklyn.

Henry Sayre, one of the present Industrial Commissioners, will head the new department, according to an announcement by Gov. Miller in New York last week.

AVERAGE 1919 INCOME TAX IN STATE \$60.12

20,000 Unmarried Women File as 'Heads of Families.'

ALBANY, March 31.—The average individual income tax paid to the State in 1919 was \$69.12. Figures made public to-day by Comptroller James A. Wendell showed that 618,595 persons paid a total of \$57,189,272.

At least 750 persons in the State in 1919 had incomes of \$100,000 to \$150,000, while persons receiving incomes of \$1,000 to \$2,000 numbered 399,504. Returns filed with the State Income Tax Bureau indicated. More than two-thirds of those filing returns had incomes between \$1,000 and \$2,000. More than 20,000 unmarried females with incomes from \$1,000 to \$2,000 filed returns as "heads of families."

Budd NEW YORK SHIRTS from imported cottons of exceptional quality and smart patterns. Prices \$6.50 upward. Budd Bldg. 57-58th Ave. 149 Eway

Franklin Simon & Co. A Store of Individual Shops FIFTH AVE.—37th and 38th Sts. Customized Suits For Madame Ready-Made But Better Made MADE by us every step of the way, but not made in steps—each suit the sustained operation of one pair of hands, with the convenience and the economy of a suit instantly ready to put on! Directoire, Gracile or Chinois Models in all the Custom Fabrics 95.00 WOMEN'S SUIT SHOP—First Floor

Franklin Simon & Co. A Store of Individual Shops FIFTH AVENUE, 37th and 38th STS. A Matter-of-Fact That Is Far From Matter Of Fact MISSES' PONY BOX SUITS WITH SEÑORITA SASHES "BE sure you are right and then go ahead," was the season's motto adopted by the pony box suit—and now everyone knows it was right for it is going right ahead. Navy Blue Tricotine with Fringed Silk Sashes 59.50 As Many Variations Upon the Theme of Fashion as There are Occasions Upon Which to Wear the Suits MISSES' SUIT SHOP—(Sizes 14 to 20 years)—SECOND FLOOR

Broadway Saks & Company at 34th St. Have Arranged for Friday and Saturday A Special Sale of Women's Fashionable Wraps and Coats At 39.50 —Every one made to sell at a much higher price Coats and wraps that hold modish charm—and achieve it by means of exquisite materials, carefully tailored and softly draped. Graceful of line, correct of silhouette and chic of trimming, they are the very counterparts of costly French importations. Duvet de Laine, Llama Cloth, Men's Wear Serge and Tricotine fashion them—rich silken embroideries add to their charm—and the care with which they are put together completes their distinctive "imported" air. Four styles pictured. Fourth Floor

Franklin Simon & Co. A Store of Individual Shops FIFTH AVE.—37th and 38th Sts. Sorrento Blue Is "True Blue" to Youth in POLO COATS FOR GIRLS POLO cloth Upholds the honor of the school of youthful fashions, while sorrento blue and natural tan maintain friendly but exciting rivalry between the leading classes. Shawl Collared Belted Models With Smart Stitching, Silk Lined Throughout 29.50 GIRLS' COAT SHOP—Second Floor Sizes 6 to 16 years

An Advertisement in the Lost and Found Columns of THE NEW YORK HERALD offers a real possibility of recovering your lost property. Telephone Fitz Roy 6000.